

EXHIBIT 1

Part 2 of 2

REC'D CAL APPEALS
APR 26 200404 724
ATTACHMENT
TO: 04 545CDC-602 (cont'd)

alleged gang members since my release from indeterminate SHU in May 2000 and dispute the truthfulness of the source providing this false information, submitting that it as the 1030 form indicates this prisoner was himself involved in criminal activities he lied in order to gain for himself preferential treatment in the way of classification, custody or placement considerations. Moreover, I assert that the mandates of CCR, Title 15, sec. 3322(d)(2) were not adhered to in establishing the reliability of the information provided, and as this basis submit that the document should not have been relied on in any decision affecting my classification and custody status. Furthermore, there a serious due process violation concerns here arising from the fact that when this false accusation was made I was not provided a CDC-1030 form so that at that time I could have challenged it and mounted a viable defense to prove the information was false. To wait 3 1/2 years to disclose the information after the validation package had been submitted to Sacramento gave me no opportunity to defend myself to the individuals making what clearly is a life-altering decision.

STATE OF CALIFORNIA
CDC 1030 (12/86)REC'D CAL APPEALS
APR 26 2004ATTACHMENT
TO: 04 545
A5-237
CORRECTIONS

CONFIDENTIAL INFORMATION DISCLOSURE FORM

INMATE NUMBER: C43165

INMATE NAME: ACUNA

1) Use of Confidential Information.

Information received from a confidential source(s) has been considered in the:

a) CDC-115, Disciplinary Report dated _____ submitted by _____

STAFF NAME, TITLE

b) CDC-114-D, Order and Hearing for Placement in Segregated Housing dated _____

2) Reliability of Source.

The identity of the source(s) cannot be disclosed without endangering the source(s) or the security of the institution.

This information is considered reliable because:

- a) ☐ This source has previously provided confidential information which has proven to be true.
- b) ☐ This source participated in and successfully completed a Polygraph examination.
- c) ☐ More than one source independently provided the same information.
- d) ☒ This source incriminated himself/herself in a criminal activity at the time of providing the information.
- e) ☐ Part of the information provided by the source(s) has already proven to be true.
- f) ☐ Other (EXPLAIN) _____

3) Disclosure of information received.

The information received indicated the following:

that you estimate Acuna
confirmed to Communications with a
Validated Member's Member.
Arturo Estrada CDC # C-103175.

(If additional space needed, attach another sheet.)

4) Type and current location of documentation, (for example, CDC-128-B of 5-15-86 in the confidential material folder).

CDC-128-B of 09-21-00. Authored
by Correctional Officer B. Shulton located in
Folder _____

TITLE

DATE DISCLOSED

Central File: GREEN — Inmate: YELLOW — Institution Use

REC'D CAL APPEALS

APR 27 2004

INMATE/PAROLEE

APPEAL FORM

CDC 602 (12/E 7)

Location: Institution/Parole Region

Log No.

Category

ATTACHMENT 4 724

TO:

ATTACHMENT

TO: 04 545

You may appeal any policy, action or decision which has a significant adverse affect upon you. With the exception of Serious CDC 115s, classification committee actions, and classification and staff representative decisions, you must first informally seek relief through discussion with the appropriate staff member, who will sign your form and state what action was taken. If you are not then satisfied, you may send your appeal with all the supporting documents and not more than one additional page of comments to the Appeals Coordinator within 15 days of the action taken. No reprisals will be taken for using the appeals procedure responsibly.

NAME	NUMBER	ASSIGNMENT	UNIT/ROOM NUMBER
ACUNA	C-43165	Ad Sec	AS-237

A. Describe Problem: on 4/20/04, I received a CDC-1030 Confidential Information Disclosure Form which described a confidential memorandum dated 9/23/03 alleging that I had continued to involve myself in prison gang activities, by sending money to gang members. This information was supposedly provided by a source whose reliability was established solely on the basis that he had incriminated himself in a criminal activity at the time of providing the information. By this appeal I am asserting that this information is false and that I was denied due process by: (1) the fact that the

If you need more space, attach one additional sheet.

B. Action Requested: Expunge Confidential Memorandum from my C-File & nullify validation process which relied on information contained in the memorandum.

Inmate/Parolee Signature:

Arcadio Acuna

Date Submitted:

4/25/04

C. INFORMAL LEVEL (Date Received: _____)

Staff Response: _____

Staff Signature: _____

Date Returned to Inmate: _____

D. FORMAL LEVEL

If you are dissatisfied, explain below, attach supporting documents (Completed CDC 115, Investigator's Report, Classification chrono, CDC 128, etc.) and submit to the Institution/Parole Region Appeals Coordinator for processing within 15 days of receipt of response.

Signature: _____

Date Submitted: _____

Note: Property/Funds appeals must be accompanied by a completed Board of Control form BC-1E, Inmate Claim

CDC Appeal Number: _____

(19)

REC'D CAL APPEALS ATTACHMENT

APR 27 2004

TO: - 04 724

ATTACHMENT

CDC-602 (cont'd)

TO: 04 545

information was not disclosed to me at the time it was provided so that I could challenge its veracity, (2) that it was relied on in the validation process without allowing me an opportunity to dispute it, (3) that its reliability was not established in conformance to CCR, Title 15, sec. 3321(d)(1)-(3), and (4) that the source providing the false information did so simply in order to gain for himself preferential treatment in the way of classification, custody, or placement considerations. Finally, I vehemently deny that I have been involved in any type of criminal and/or prison gang activities, and submit that a review of my C-File indicates everything contrary to this accusation, showing that since my release from indeterminate SMI in May 2000, I progressed without committing major rule infractions, that I received commendatory work performance reports from all my supervisors, that I earned numerous Certificates of Vocational Achievement, and that I also successfully completed a self-help course in substance abuse/anger management.

STATE OF CALIFORNIA
CDC 1030 (12/86)

REC'D CAL APPEALS

APR 27 2004

ATTACHMENT
TO: 04 724

DEPARTMENT OF CORRECTIONS

ATTACHMENT

TO: 04 545

CONFIDENTIAL INFORMATION DISCLOSURE FORM

INMATE NUMBER: C43165

INMATE NAME: ACUNA

1) Use of Confidential Information.

Information received from a confidential source(s) has been considered in the:

a) CDC-115, Disciplinary Report dated _____ submitted by _____

STAFF NAME, TITLE

b) CDC-114-D, Order and Hearing for Placement in Segregated Housing dated _____

2) Reliability of Source.

The identity of the source(s) cannot be disclosed without endangering the source(s) or the security of the institution.

This information is considered reliable because:

- a) ☐ This source has previously provided confidential information which has proven to be true.
- b) ☐ This source participated in and successfully completed a Polygraph examination.
- c) ☐ More than one source independently provided the same information.
- d) ☒ This source incriminated himself/herself in a criminal activity at the time of providing the information.
- e) ☐ Part of the information provided by the source(s) has already proven to be true.
- f) ☐ Other (EXPLAIN) _____

3) Disclosure of information received.

The information received indicated the following:

That you inmate ACUNA
CONTINUE TO INVOLVE YOURSELF IN MEXICAN
Mafia PRISON GANG ACTIVITIES by spending
MONEY TO MEXICAN Mafia members - MS -

(If additional space needed, attach another sheet.)

4) Type and current location of documentation, (for example CDC-128-B of 5-15-86 in the confidential material folder).

Confidential Memorandum DATED 9-23-03
Located in your Confidential Folder

STAFF SIGNATURE, TITLE

DATE DISCLOSED

DISTRIBUTION: WHITE — Central File; GREEN — Inmate; YELLOW — Institution Use

(21)

REC'D C) APPEALS
APR 28 2004

ATTACHMENT

INMATE/PAROLEE

APPEAL FORM

CDC 602 (12/87)

Location: Institution/Parole Region

Log No.

Category: 04

1. _____

1. _____

2. _____

2. _____

You may appeal any policy, action or decision which has a significant adverse affect upon you. With the exception of Serious CDC 115s, Classification committee actions, and classification and staff representative decisions, you must first informally seek relief through discussion with the appropriate staff member, who will sign your form and state what action was taken. If you are not then satisfied, you may send your appeal with all the supporting documents and not more than one additional page of comments to the Appeals Coordinator within 15 days of the action taken. No reprisals will be taken for using the appeals procedure responsibly.

NAME	NUMBER	ASSIGNMENT	UNIT/ROOM NUMBER
Acuna	C-43165-	Ad Sgt	AS-237

A. Describe Problem: On 4/20/04, a Confidential Information Disclosure Form was provided which identified a Confidential Memorandum dated 12/12/03 alleging that I had continued to participate in prison gang activities while at CSP/LAC, Fac. B. The reliability of the information was supposedly established by criteria (e) is that part of the information provided by the source(s) had allegedly already proven to be true. Furthermore, during an interview with I-21 Lt. Garcilaga, he stated that a letter from some unnamed individual had been intercepted, and that said letter

If you need more space, attach one additional sheet.

(see attached)

B. Action Requested: Expunge Confidential Memorandum from my C-File, nullify validation process that relied on false information, and return to general population.

Inmate/Parolee Signature: _____

Date Submitted: 4/26/04

C. INFORMAL LEVEL (Date Received: _____)

Staff Response: _____

Staff Signature: _____

Date Returned to Inmate: _____

D. FORMAL LEVEL

If you are dissatisfied, explain below, attach supporting documents (Completed CDC 115, Investigator's Report, Classification chrono, CDC 128, etc.) and submit to the Institution/Parole Region Appeals Coordinator for processing within 15 days of receipt of response.

Signature: _____

Date Submitted: _____

Note: Property/Funds appeals must be accompanied by a completed

CDC Appeal Number: _____

Board of Control form BC-1E, Inmate Claim

(22)



REC'D CAL APPEALS
APR 28 2004

ATTACHMENT

TO: 04 724
ATTACHMENT

TO: 04 545

CPC-602 (cont'd)

indicated I was involved in criminal gang activities. I vehemently deny this allegation, and assert that the information contained in the confidential memorandum dated 12/12/03 is false, and is completely contradicted by the other documentation in my C-File showing that since my release from indeterminate SHU in May 2000, I have conformed to behavioral expectations, have performed assigned duties with diligence earning high marks of approval from supervisors, and do not doubt that if interviewed these supervisors would attest to the fact they saw no indication I was involved in gang activities. During the almost four years that I remained in the general population of CCI, Fac. A, and CSP/LAC, Fac. B & D, my conduct was exemplary and in fact I successfully completed a self-help anger management/substance abuse course under the direction of DR. E. Eskandari, Ph.D., and he was so impressed by my conduct and maturity that he requested I become a mentor for his self-help group. All of the above thus clearly shows that I was not and am not involved in any type of prison gang activity.

APR 28 2004

STATE OF CALIFORNIA
CDC 1030 (12/86)

ATTACHMENT
TO: 04 724
DEPARTMENT OF CORRECTIONS
ATTACHMENT
TO: 04 545

CONFIDENTIAL INFORMATION DISCLOSURE FORM

INMATE NUMBER: C 43165 INMATE NAME: ACUNA

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STAFF NAME, TITLE

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- d) ☐ This source incriminated himself/herself in a criminal activity at the time of providing the information.
- e) ☒ Part of the information provided by the source(s) has already proven to be true.
- f) ☐ Other (EXPLAIN) _____

3) Disclosure of information received.

The information received indicated the following:

that you provided during
C-43165, you intend to participate with
Mexican Water Activities, while at the
California State Prison - Los Angeles County
Facility, B.

(If additional space needed, attach another sheet.)

4) Type and current location of documentation (for example: CDC-128-B of 5-15-86 in the confidential material folder).

Confidential Memorandum dated 12-12-93, authored
by S. Preciado Institutional Drug Enforcement Assistant
located in your confidential files

STAFF SIGNATURE, TITLE

DATE DISCLOSED

DISTRIBUTION: WHITE — Central File; GREEN — Inmate; YELLOW — Institution Use

(24)

State of California

Department of Corrections

Memorandum

Date : July 1, 2004

To : Stuart Ryan
Warden (A)
Calipatria State Prison

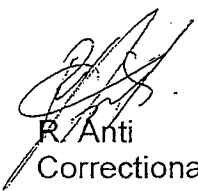
Subject: **INMATE ACUNA C-43165 APPEAL**

Inmate Acuna, C-43165 A5-237, is appealing his gang validation package submitted by CSP-Los Angeles CO. (LAC). Acuna was transferred to Calipatria State Prison (CAL) from LAC on March 1, 2004. CAL was advised by LAC that they had submitted the validation package on Acuna. On March 5, 2004 the validation on Acuna was received at CAL. Acuna was housed in Administrative Segregation pending transfer.

Correctional Sergeant Roe served three CDC 1030 prepared by Institutional Gang Investigator (IGI) at LAC. LAC has all the documents that they submitted for the validation on Acuna.

In the past when CAL has submitted validation packages and there have been appeals on the validation package, the appeal has been sent to CAL for the IGI to answer. This is what happened with Inmate Staska when he was transferred to Centinela State Prison (CEN). Sergeant Roe went to CEN, interviewed and answered Inmate Staska's appeals. This has also transpired when another inmate was transferred to CA Correctional Institution, Tehachapi (CCI).

Recommend that these three appeals be forwarded to IGI at LAC for them to answer. IGI at CAL will assist them with what ever they need to answer the appeals.


R. Anti
Correctional Lieutenant
Chief Investigator
Calipatria State Prison

*Recommend this appeal also be sent
to LAC as I did with the other one -
Anti*

State of California

TO:

ATTACHMENT 04 545
Department of Corrections**Memorandum**

Date : July 1, 2004

To : Stuart Ryan
Warden (A)
Calipatria State Prison

Subject: INMATE ACUNA C-43165 APPEAL

*Pl forward appeals to
LAC - IGI*

[Signature]
7/6/04

Inmate Acuna, C-43165 A5-237, is appealing his gang validation package submitted by CSP-Los Angeles CO. (LAC). Acuna was transferred to Calipatria State Prison (CAL) from LAC on March 1, 2004. CAL was advised by LAC that they had submitted the validation package on Acuna. On March 5, 2004 the validation on Acuna was received at CAL. Acuna was housed in Administrative Segregation pending transfer.

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In the past when CAL has submitted validation packages and there have been appeals on the validation package, the appeal has been sent to CAL for the IGI to answer. This is what happened with Inmate Staska when he was transferred to Centinela State Prison (CEN). Sergeant Roe went to CEN, interviewed and answered Inmate Staska's appeals. This has also transpired when another inmate was transferred to CA Correctional Institution, Tehachapi (CCI).

Recommend that these three appeals be forwarded to IGI at LAC for them to answer. IGI at CAL will assist them with what ever they need to answer the appeals.

[Signature]
R. Anti

Correctional Lieutenant
Chief Investigator
Calipatria State Prison

DEPARTMENT OF CORRECTIONS

Inmate Appeals Branch

P.O. Box 942883

Sacramento, CA 94283-0001

December 20, 2004

Acuna, CDC #C-43165
Pelican Bay State Prison
P.O. Box 7000
Crescent City, CA 95531-7000

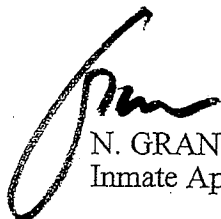
Re: Institution Appeal Log #CAL 04-545/LAC 04-02386 Living Conditions

Dear Mr. Acuna:

The enclosed documents are being returned to you for the following reasons:

Your appeal is incomplete. You must include supporting documentation. Your appeal is missing the Second Level Response from the institution.

Your assigned counselor, the Appeals Coordinator, or your Parole Agent can answer any questions you may have regarding the appeals process. Library staff can help you obtain any addresses you need.



N. GRANNIS, Chief
Inmate Appeals Branch

(27)

*****PERMANENT APPEAL ATTACHMENT-DO NOT REMOVE*****

DEPARTMENT OF CORRECTIONS
Inmate Appeals Branch
P.O. Box 942883
Sacramento, CA 94283-0001

RECEIVED

JUL -7 2005

INMATE APPEALS
BRANCH

May 24, 2005

~~Appeals Coordinator~~

California State Prison, Los Angeles County
44750 - 60th Street West
Lancaster, CA 93536-7620

RE: ACUNA, CDC #C-43165 Institution Appeal Log #LAC-X-04-02386 Case
Info & Records

To the Appeals Coordinator:

A response is needed at the next appropriate level of review.

Please have the Second Level Response signed. Please complete and return the requested documents to this office by June 23, 2005.

J. Grannis
N. GRANNIS, Chief
Inmate Appeals Branch

JUL 01 2005

Response corrected w/ cow
INMATE APPEALS
Signature CALIFORNIA STATE PRISON
LOS ANGELES COUNTY
44750 60TH STREET WEST
LANCASTER, CA 93536

JPW
6-6-05

RECEIVED

*Received Corrected
Signed from
response from
cow.*

MAY 31 2005

STATE OF CALIFORNIA—YOUTH AND ADULT CORRECTIONAL AGENCY

ARNOLD SCHWARZENEG

DEPARTMENT OF CORRECTIONS AND REHABILITATION**P.O. Box 942883****Sacramento, CA 94283-0001**Date: 8-3-05To: ACUNA, C-43165
D-3-112
PBSP SHUSubject: **RECEIPT OF CORRESPONDENCE**5-2-05

This notification is to inform you that your correspondence regarding:

Validation

has been received the Ombudsman's Office. An inquiry relative to your issue(s) has been forwarded to the appropriate staff, for response. ~~This office will notify you of the outcome of the inquiry or you will receive a direct response from staff as soon as information is available or a resolution has been determined.~~

You may contact me if you have further questions or concerns regarding this matter.



DUNCAN FALLON

Ombudsman's office

P.O. Box 942883

EXHIBIT-D

(33)

STATE OF CALIFORNIA
CDC 128-B-2 (5/95)

DEPARTMENT OF CORRECTIONS

INMATE'S NAME: ACUNA, ARCADIO

CDC NUMBER: C43165

On 02/04/00 a gang validation package regarding subject was received from Institution Gang Investigator CRANDALL at PBSP.

TOTAL NUMBER OF ITEMS SUBMITTED FOR REVIEW: (1)

The following items meet the validation requirements: 128B DATED 01/31/00.

TOTAL NUMBER OF ITEMS WHICH MEET VALIDATION REQUIREMENTS: (1)

The following items do not meet the validation requirements and were/shall not be used as a basis for validation: NONE.

TOTAL NUMBER OF ITEMS WHICH DO NOT MEET VALIDATION REQUIREMENTS: (0)

Date: 02/07/00

GANG VALIDATION/REJECTION REVIEW
(CONTINUED ON REVERSE)
LEIU/SSU

GENERAL CHRONO

ACTION OF REVIEWER

Pursuant to the validation requirements established in 15 CCR Section 3378, ACUNA, ARCADIO is:

☒ VALIDATED ☐ REJECTED

as a inactive associate of the MEXICAN MAFIA prison gang.

REVIEWER'S SIGNATURE

S.C. WOHLWEND, Senior Special Agent

DATE: 02/07/00

DISTRIBUTION:

Original - Central File
Copy - Classification & Parole Representative/Parole Administrator I
Copy - Institutional Gang Investigator/Region Gang Coordinator
Copy - Law Enforcement Liaison Unit
Copy - Inmate/Parolee

RECEIVED
'00 FEB 10 AM 8 31
CAPTAIN, INVESTIGATIVE
SERVICES

STATE OF CALIFORNIA

DEPARTMENT OF CORRECTIONS

ACUNA, ARCADIO, SERRANO C-43165 AKA "CADIO"

CDC 128-B (REV. 4/74)

On Monday, January 17, 2000, an investigation was initiated on inmate **ACUNA, C-43165**, per the California code of Regulations, section 3378 (d) (e), regarding his (Active/In-Active) gang status.

ACUNA was validated on 11-29-90, as an associate of the **Mexican Mafia** prison gang.

The last source document showing activity is dated, **08-31-90**.

During the investigation the following areas were reviewed:

CENTRAL FILE	01/17/00	I. Dominicci
ARCHIVES	N/A	N/A
LEIU/INTELL OPS	01-28-00	Agent D. Smith
CAL GANGS	01/17/00	Officer J. Bales
WSIN	01/17/00	Officer J. Bales
PAROLES, LEADS	N/A	N/A
LOCAL LAW ENFORCEMENT	01/19/00	Deputy S. Chapman

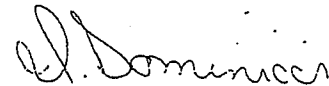
A review of the above areas revealed no gang activity with the last six years.

A search of **ACUNA'S** assigned cell (D-6207L) proved negative for gang activity.

The Offender Based Information System (OBIS) indicated **ACUNA** has been in Pelican Bay State Prison since 01/19/91.

Based on the above information it is recommended **ACUNA, C-43165**, be placed on **In-Active** status.

ACUNA was photographed, and an **In-Active** package is being submitted to the Law Enforcement & Investigations Unit for approval.



I. Dominicci
I.S.U. Gang Investigator
In-Active Gang Task Force

Pelican Bay State Prison

DATE: 01/31/2000

GANG INFORMATION/IGI REVIEW / IN-ACTIVE STATUS

CDC 128-B

STATE OF CALIFORNIA

DEPARTMENT OF CORRECTIONS
CDC-128G (Rev. 12/91)

NO. C-43165 NAME: ACUNA, Arcadio
Custody: MAX AS CS: 81 LEV-IV WG/PG: D1/D
RelDate: MEPD 05/17/2012 Reclass: 05/25/2000

D6-207
Assignment: SHU INDET
Action: REFER TO DRB RX TX CCI-IV/
SVSP-IV (180) BASED ON INACTIVE
GANG STATUS; REFER TO ED FOR
TABE TESTING

Inmate ACUNA appeared before PBSP FAC C ICC on this date for Special Review. Committee notes a CDC 128B2 dated 02/07/2000, which documents S as being validated as an inactive associate of the "Mexican Mafia" (EME) Prison Gang. Pursuant to Administrative Bulletin 9908, ICC elects to refer this case to the Departmental Review Board (DRB) recommending S be transferred to CCI-IV with an alternative of SVSP-IV (180). Committee acts to refer S to Education for TABE Testing. S has been reviewed for adaptive functioning criteria, and Committee notes no physical or developmental limitations which would require a Developmental Disability Placement (DDP) referral. ICC acts to retain "S" suffix based upon the current Directors policy regarding the double celling of prison gang members and associates at PBSP-SHU. Any double celling requests while housed in PBSP-SHU will be reviewed by Committee for approval per Director's policy. Case factors: S is a 49-year-old, Hispanic, PVWNT, multi-termer, received in CDC on 03/11/87, from Santa Clara County, subsequent to conviction for Kidnap for Robbery (3 counts), for which he received a total prison term of Life + Life + Life + 8 years. S was received at PBSP on 01/19/91, from SAC. S was endorsed on 11/10/99, having received an Indeterminate SHU term for (continued)

Date: 02/24/2000 (O'DELL/sz) Classification FAC C ICC REVIEW Inst: PBSP

STATE OF CALIFORNIA

DEPARTMENT OF CORRECTIONS
CDC-128G (Rev. 12/91)

Page 2

validation as an associate of the "Mexican Mafia" (EME) Prison Gang. S is not foreign born. There are no holds, arsons or sex offenses. Escapes: 1978, Escape from CRC. Disciplinary overview: Talking in Law Library, Resisting Staff, Assault, Work Performance, Narcotics, Fighting, and Staff Assault. Medical status: Full Duty. No Psych concerns. CDC 128C dated 06/10/96, and updated on 02/24/2000, clears S for placement in PBSP-SHU per Madrid court order criteria. D. Costiloe, LCSW, who was a participant in this Committee, confirms that S's mental health reflects no need for mental health care. The commitment offense does not meet Mentally Disordered Screening criteria per PC 2962. TB code 22 per CDC 128C dated 04/28/99. Education: S needs testing. CDC 812 lists enemies. Gang/TIP: Associate of "EME" Prison Gang with AKA of "Carrio." Confidential folder noted and reviewed. CLLR: San Bernardino County. Notification required per PC 3058.6. S does not meet 270 design criteria due to the following exclusionary factors: SHU placement within the last three (3) years. S is ineligible for CCRC/CCF/MSF/CAMP placement due to his current SHU housing and is ineligible for Restitution Center due to his representing an unacceptable risk to the community. Restitution is not required. S was advised of Committee's action, his right to appeal, and that this Committee constitutes his First Level of Review for Appeal Purposes. S acknowledged understanding and agreed with Committee's action. Next scheduled Committee appearance will be 05/25/2000, for 180 Day Review.

Date: 02/24/2000 (O'DELL/sz) Classification FAC C ICC REVIEW Inst: PBSP

STATE OF CALIFORNIA

DEPARTMENT OF CORRECTIONS
CDC-128G (Rev. 12/91)

Page 3

INMATE'S COPY
INMATE'S COPY

COMMITTEE CHAIRPERSON: T. SCHWARTZ, AW

D. SMITH, FC

D. COSTILOE, LCSW

RECORDER: R. PEDERSON, CCH(A)

Date: 02/24/2000 (O'DELL/sz)
11-0-11

Class (36) 1

FAC C ICC REVIEW

Inst: PBSP

NO.: C43165 NAME: ACUNA HOUSING: IVA-2A 210 U

Custody: CLO A CS: 79 Level: IV WG/PG: A1A Eff. Date: 8/3/00

Type/Release Date: MEPD 5/17/2012

TT: 3X LIFE + 8 YRS BPT: DOC #4 6/03 Assignment/Action Taken: ANNUAL REVIEW/ IN ABSENTIA;
RETAIN CLO A; A1A EFF 8/3/00; ASSIGNED LIBRARY
CLERK CPP; D/C

INMATE COPY

Comments:

Inmate ACUNA case was reviewed by UCC in absentia on this date for the purpose of ANNUAL REVIEW. He is a 49-year old, HISPANIC, 4TH-termer, received into CDC on 3/11/87 from SANTA CLARA County for the offense of 3 CTS. OF KIDNAP ROBBERY. He was originally received at CCI Unit IVA on 7/20/00 from PBSP SHU. Special Skills: PLUMBER, LIBRARY CLERK. GPL: UNK. Reading Level: UNK. Medical Status: FULL DUTY. Psych Concerns: NONE. Inmate does not meet criteria for MDO consideration. Inmate has been reviewed for DDP and does not meet the criteria. Inmate has been reviewed for DPP and does not meet criteria. TB Code 22 per CDC 128-C dated 5/4/01. Escapes: 1978 ESCAPE FROM ORWA TOUR LAVERNE COLLEGE. Arsons: CLEAR. Sex Related Offenses: CLEAR. HWD: CLEAR. Past Substance Use: POLY DRUG USER. CDC 812 Notes Enemies: NOTED. Gang Affiliation: MEXICAN MAFIA PRISON GANG INACTIVE. Moniker: CADIO. Confidential Information: Yes and all material reviewed and approved. Registration Required Per: PC 296. Notification Required Per: PC3058.6. Restitution Ordered: N/A. Past disciplinary history consists of notable CDC 115's for: 4/01/01 POSS OF ALCOHOL, 3/95, 12/94 UNAUTHORIZED TALKING, 12/90 RESISTING STAFF, 7/90 ASLT ON I/M, 2/88 POSS OF NARCOTIC PARAPHENELIA, 3/87 FIGHT. UCC conducted a review of inmate ACUNA central file to determine his housing assignment. Inmate meets criteria for Double Celling. PC 2930/2933 have been complied with and all behavioral expectations have been explained. CDC Forms 127, 812, 840, and Minimum Eligibility Screening have been reviewed and updated, and PC 5068 has been discussed. Inmate is disqualified for Fire Camp Yes, MSF Yes, Community Correctional Facility Yes, Substance Abuse Treatment Center Yes, Restitution Center Yes, or Community Correctional Re-entry Center Programs Yes, based on his CLS, VIO. Specific case comments: ASSIGNED LIBRARY CLERK, 101'S REFLECT AVERAGE, 1 RVR 4/1/01 POSS OF ALCOHOL. After reviewing all case factors, Committee acts to RETAIN CLO A; A1A EFF 8/3/00; ASSIGNED LIBRARY CLERK CPP. Classification Committee actions were discussed and explained to inmate and inmate acknowledges Committee's decisions and is in agreement with Committee actions. Inmate has been advised of his appeal rights. Next anticipated review date is 4/02 for ANNUAL. Appropriate Facility Design: 180 A1 EXPIRES ON 7/20/03.

COMMITTEE:

J. LEKSAN, CCH (A)
RECORDER
DR. ESKANDARI, PSYCH.
L. GEORGE, SAI(A)

M. STAINER, FACILITY CAPTAIN (A)
CHAIRPERSON

E. BURTON, CC-I

Date: 5/23/01

EB

Classification UCC/ANNUAL

Inst: CCI-IVA

STATE OF CALIFORNIA
CDC 101 (1/92)

WORK SUPERVISOR'S REPORT

DEPARTMENT OF CORRECTIONS

GRADES		GRADE	GRADE		GRADE
1 - EXCEPTIONAL	<u>3</u>	A. DEMONSTRATED SKILL AND KNOWLEDGE	<u>3</u>	F. TEAMWORK AND PARTICIPATION	<u>3</u>
2 - ABOVE AVERAGE	<u>3</u>	B. ATTITUDE TOWARD FELLOW INMATES AND WORKERS	<u>3</u>	G. LEARNING ABILITY	<u>3</u>
3 - SATISFACTORY	<u>3</u>	C. ATTITUDE TOWARD SUPERVISORS AND STAFF	<u>3</u>	H. USE OF TOOLS AND EQUIPMENT	<u>3</u>
4 - BELOW AVERAGE	<u>3</u>	D. INTEREST IN ASSIGNED WORK	<u>3</u>	I. QUALITY OF WORK	<u>3</u>
5 - UNSATISFACTORY	<u>3</u>	E. EFFORT DISPLAYED IN ASSIGNED WORK	<u>3</u>	J. QUANTITY OF WORK	<u>3</u>

PAY STATUS: FROM: \$ TO: \$ FROM: JOB NO. TO: JOB NO.

TOTAL # Hours Assigned: TOTAL # Hours Worked:

INMATE ASSIGNED TO: LIB-A-100 DATE ASSIGNED: 1-31-01 ACTUAL WORK CONSISTS OF: recreational library clerk PERIOD COVERED BY REPORT: 5-22-01 to 7-1-02

RECOMMENDED FOR: ☐ REASSIGNMENT ☒ RETAIN ☐ PAY INCREASE ☐ PAY DECREASE INMATE'S INITIALS: ed

COMMENTS (IF MORE SPACE REQUIRED, USE REVERSE SIDE): Very capable, keeps things organized, valuable worker CODE OF SAFE PRACTICES REVIEWED: Supv's Initials: ed INMATE'S INITIALS: ed

SUPERVISOR: H. Stanford LENGTH OF SUPERVISION: 1 year, 3 mos WORK DETAIL: Lib. ETHNICITY: MEX

INMATE'S NAME: Acuna CDC NUMBER: C-43165 INSTITUTION: CCI DATE: 8 May 02

I/m copy

STATE OF CALIFORNIA
CDC 101 (1/92)

WORK SUPERVISOR'S REPORT

DEPARTMENT OF CORRECTIONS

GRADES		GRADE	GRADE		GRADE
1 - EXCEPTIONAL	<u>3</u>	A. DEMONSTRATED SKILL AND KNOWLEDGE	<u>3</u>	F. TEAMWORK AND PARTICIPATION	<u>3</u>
2 - ABOVE AVERAGE	<u>3</u>	B. ATTITUDE TOWARD FELLOW INMATES AND WORKERS	<u>3</u>	G. LEARNING ABILITY	<u>3</u>
3 - SATISFACTORY	<u>3</u>	C. ATTITUDE TOWARD SUPERVISORS AND STAFF	<u>3</u>	H. USE OF TOOLS AND EQUIPMENT	<u>3</u>
4 - BELOW AVERAGE	<u>3</u>	D. INTEREST IN ASSIGNED WORK	<u>3</u>	I. QUALITY OF WORK	<u>3</u>
5 - UNSATISFACTORY	<u>3</u>	E. EFFORT DISPLAYED IN ASSIGNED WORK	<u>3</u>	J. QUANTITY OF WORK	<u>3</u>

PAY STATUS: FROM: \$ TO: \$ FROM: JOB NO. TO: JOB NO.

TOTAL # Hours Assigned: TOTAL # Hours Worked:

INMATE ASSIGNED TO: Lib-A-100 DATE ASSIGNED: 1-31-01 ACTUAL WORK CONSISTS OF: Library worker PERIOD COVERED BY REPORT: 1-31-01-5/22/01

RECOMMENDED FOR: ☐ REASSIGNMENT ☒ RETAIN ☐ PAY INCREASE ☐ PAY DECREASE INMATE'S INITIALS: ed

COMMENTS (IF MORE SPACE REQUIRED, USE REVERSE SIDE): Good Worker, Cooperative, Good Attitude CODE OF SAFE PRACTICES REVIEWED: Supv's Initials: ed INMATE'S INITIALS: ed

SUPERVISOR: K. Rende Librarian (A) LENGTH OF SUPERVISION: 3.5 months WORK DETAIL: Lib. ETHNICITY: M

INMATE'S NAME: Acuna CDC NUMBER: C43165 INSTITUTION: CCI YA DATE: 5/22/01

California Correctional Institute

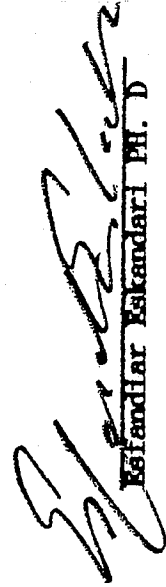
This certifies that

ARCADIO ACUNA

CDC#: C-43165

**has completed a twelve week course in
anger management and substance abuse**

GIVEN THIS 24th DAY OF DECEMBER
IN THE YEAR OF OUR LORD 2001
AT THE TOWN OF TEHACHAPI, STATE
OF CALIFORNIA.


Esfandiar Eskandari PH. D

STATE OF CALIFORNIA

DEPARTMENT OF CORRECTIONS
CDC-128G (REV.12/95)

NO.: C43165 NAME: ACUNA HOUSING: IVA-2A-210U

Custody: CLO-B CS: 73 Level: IV WG/PG: A1/A Eff. Date: 1-31-01

Type/Release Date: MEPS 4-5-2013

TT: 3X LIFE + 8 YR'S BPT: DOC #4 6/2003 Assignment/Action Taken: ANNUAL/ TRANSFER REVIEW- I/M
PRESENT, RETAIN CCI-IVA CHG CLO-A TO CLO-B
CUSTODY, REFER CSR RX TX LAC-270 alt CEN-270
(FAMILY TIES, TRADES) RETAIN A1/A UPON TX. AND
CONTINUE PRESENT PROGRAM. D/CELL.

Comments:

Inmate ACUNA'S case was reviewed by UCC IN PERSON on this date for the purpose of ANNUAL TRANSFER REVIEW. He is a HISP, 50-year old, MULTI-termer, received into CDC on 3-11-87 from SANTA CLARA County for the offense of KIDNAP FOR ROBBERY (3 CT'S). He was originally received at CCI Unit IVA on 7-20-2000 from PBSP-SHU. Special Skills: I/M CLAIMS PLUMBER. GPL: 12.5. Reading Level: 12.9. Medical Status: FULL DUTY. Psych Concerns: CLEAR. 128C DTD 2/24/00. I/M does not meet criteria for MDO consideration. Reviewed for DDP/DPP, does not meet criteria. An IDIT / Psychiatric Evaluation was not conducted with the following notations; N/A. TB Code 22 per CDC 128-C dated 5/4/01. Escapes: 1978 ESCAPE FROM ORWA TOUR LAVERNE COLLEGE. Arsons: CLEAR. Sex Related Offenses: CLEAR. SVP: NO HWD: CLEAR. Past Substance Use: POLY DRUG USER. CDC 812 Notes Enemies: YES. Gang Affiliation: INACTIVE MEMBER OF THE MEXICAN MAFIA PRISON GANG, NOTE DRB DTD 5-31-00. Moniker: CADIO. Confidential Information: None noted. Registration Required Per: N/A. Notification Required Per: PC296 & PC3058.6. Restitution Ordered: NONE. Past disciplinary history consists of notable CDC 115's for POSS OF I/M MANUF ALCOHOL UNAUTHORIZED TALKING, RESISTING STAFF, ASSLT ON I/M WINSTON D51285, FAILURE TO REPORT TO JOB ASSIGN, POSS OF NARCOTICS & PARAPHENALIA, FORCE AND VIOLENCE (2 CT'S). UCC conducted a review of inmate ACUNA'S central file to determine his housing assignment. Inmate meets criteria for Double Celling. PC 2930/2933 have been complied with and all behavioral expectations have been explained. CDC Forms 127, 812, 840, and Minimum Eligibility Screening have been reviewed and updated, and PC 5068 has been discussed. Inmate is disqualified for Fire Camp Yes. MSF Yes, Community Correctional Facility Yes, Substance Abuse Treatment Center Yes, Restitution Center Yes, or Community Correctional Re-entry Center Programs Yes, based on his VIOLENCE/ TIME TO SERVE. Specific case comments: UCC NOTES TRANSFER ANNUAL REVIEW "S" REMAINED DISCIPLINARY FREE FOR ANNUAL PERIOD ASSIGNED TO LIBRARY. NOTE THERE WERE NO CDC 101 WORK PERFORMANCE REPORTS IN "S" CENTRAL FILE. HOWEVER SUPERVISOR (MR STANDFORD) STATES SATISFACTORY WORK PERFORMANCE. CLS ADJUSTED 81 TO 73. "S" REQUESTS PLACEMENT AT LAC-270 DUE TO FAMILY HARDSHIP STATES BROTHER HAS PHYSICAL IMPAIREMENT AND TRADE. After reviewing all case factors, Committee acts to RETAIN CCI-IVA, ASSIGNED TO LIBRARY. CHANGE CLO-A TO CLO-B CUSTODY. REFER CSR RX TX LAC-270 alt CEN-270, RETAIN A1/A UPON TRANSFER. Classification Committee actions were discussed and explained to inmate and inmate participated in the UCC discussion and decision and is in agreement with Committee actions. Inmate has been advised of his appeal rights. Next anticipated review date is 5/1/03 for ANNUAL REVIEW. Appropriate Facility Design: 270.

COMMITTEE:

MR. LEHMAN, ED.

S. BIENZIEM, CCI-IVA

DR. SKEEN, PSYCH.

A. LOPEZ, F.C.

CHAIRPERSON

E.A. HANSEN, CCI (A)

RECORDER

Date: 5/1/03

Classification UCC ANNUAL REVIEW

Inst: CCI-IVA

CDC Number:	Name:	TB Status:	Housing Unit:	Release Date:
C43165	ACUNA	22	B2-126	MEPD 4-5-2013
Custody:	Classification Score:	Assignment:	WG/PG:	Annual Classification:
CLO-B	73	UNASSIGNED	A1/A	5-2003
Committee Action: INITIAL REVIEW/RELEASE TO FAC 'B', PLACE ON VOC COMPUTER REPAIR & SS WL & VOC JANITORIAL WL				

INMATE ACUNA MADE A PERSONAL APPEARANCE BEFORE FAC 'B' UCC ON THIS DATE FOR INITIAL REVIEW. "S" CUSTODY STATUS WAS REVIEWED AND CLO-B CUSTODY REMAINS APPROPRIATE. "S" WG/PG IS A1/A EFFECTIVE 1-31-02. THIS IS A NON-ADVERSE TRANSFER. COMMITTEE ELECTS TO RELEASE TO FAC 'D' AND PLACE ON VOC COMPUTER REPAIR AND VOC JANITORIAL WL. GRANT 'S' TIME FROM 5-28-02 THRU DATE OF REASSIGNMENT. "S" HAS A CURRENT CUSTODY SCORE OF 73. "S" MEETS CRITERIA FOR 270 DESIGN HOUSING. DOUBLE CELL STATUS REMAINS APPROPRIATE. "S" CASE FACTORS ARE AS FOLLOWS: "S" IS A 50 YEAR OLD, MEXICAN, 4TH TERMER, RECEIVED IN CDC ON 3-11-87 FROM SANTA CLARA COUNTY FOR THE COMMITMENT OFFENSE OF KIDNAPING FOR ROBBERY. "S" RECEIVED A TOTAL TERM OF 3 LIFE TERMS PLUS 8 YEARS. "S" CURRENT MEPD DATE IS 4-5-2013. "S" WAS RECEIVED AT CSP-LAC ON 5-20-02 FROM CCI. PRIOR ARREST HISTORY CONSISTS OF BURGLARY, GRAND THEFT, TAKING A VEHICLE WITHOUT OWNERS CONSENT AND DRUG CHARGES. "S" HAS NO OCCUPATIONAL SKILLS NOTED. "S" HAS A GPL OF 12.9. "S" MEDICAL STATUS IS FULL DUTY. "S" HAS BEEN CLEARED BY THE MEDICAL DEPARTMENT FOR GP PLACEMENT WITH NO MENTAL HEALTH TREATMENT CATEGORY NOTED. "S" TB CODE IS 22 EFFECTIVE 5-29-02. "S" HAS NO HISTORY OF ARSON OR SEX RELATED OFFENSES NOTED. ESCAPE HISTORY CONSISTS OF 3-13-78 ESCAPE FROM CALIFORNIA REHAB CENTER. "S" DOES NOT HAVE ANY HOLDS, WARRANTS OR DETAINERS NOTED. SUBSTANCE ABUSE CONSISTS OF AMPHETAMINES, BARBITURATES, PCP, METHAMPHETAMINES, COCAINE, ALCOHOL, MARIJUANA AND LSD. "S" IS U.S. BORN. CDC-812 IS NOTED FOR ENEMIES. THERE IS GANG AFFILIATION NOTED WITH "MEXICAN MAFIA". "S" HAS NO AKA NOTED. THE CONFIDENTIAL FILE HAS BEEN REVIEWED. REGISTRATION/NOTIFICATION IS REQUIRED PER PC 3058.6. "S" DISCIPLINARY HISTORY CONSISTS OF POSSESSION OF AN INMATE MANUFACTURED ALCOHOL, UNAUTHORIZED TALKING, RESISTING STAFF, PHYSICAL ASSAULT, FAILURE TO REPORT, POSSESSION OF CONTROLLED SUBSTANCE PARAPHERNALIA AND FIGHTING. "S" DOES NOT MEET CRITERIA FOR MDO REFERRAL. "S" IS INELIGIBLE FOR MSF, CAMP, CCF, CCRC, RESTITUTION CENTER AND SAP DUE TO LIFE SENTENCE. THERE ARE NO OTHER CASE CONCERNS NOTED AT THIS TIME. "S" PARTICIPATED IN CLASSIFICATION AND IS IN AGREEMENT WITH COMMITTEE'S DECISIONS. INMATE APPEAL RIGHTS HAVE BEEN EXPLAINED. NEXT CLASSIFICATION IS SCHEDULED FOR ANNUAL REVIEW DATED 5-20-02.

COMM:

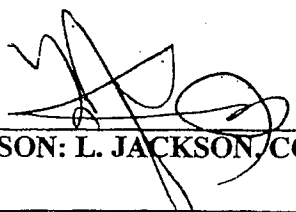
C. CARSON, CCH/TWTP

R. ALVARADO, LT. IAO

A. GONZALES, CCI

MIRA, SGT.

J. GARCILAZO, LT (GANGS)


CHAIRPERSON: L. JACKSON, CCHI
RECORDER: A. BARCENAS, CCI

Name/CDC#	Classification:	Date:	Institution:
ACUNA C43165	UNIT CLASSIFICATION COMMITTEE	6-12-2002	CSP-LAC/VP

CALIFORNIA DEPARTMENT OF CORRECTIONS

NAME: ACUNA

CDC #: C43165

BED: D3-234L

COMMITTEE ACTION SUMMARY

CPP

COMMITTEE'S COMMENTS

Inmate ACUNA appeared before California State Prison, L.A. County's (LAC's) Facility D Unit Classification Committee (UCC) today for his Annual Review. ACUNA stated that his health was good and was willing to proceed. ACUNA received his 72-hour notice for the purpose of this review. Prior to committee reviewing and discussing this case, ACUNA was introduced to the committee members. Based upon a review of ACUNA'S Central File, case factors, and through discussion with him, committee elects to: CPP. Committee notes that ACUNA'S Classification Score was adjusted by -6 points due to: 2 QPs of no serious CDC 115s, 1 QP of average/above average work/school performance.

Custody remains appropriate at Close-B, and Double cell approved. Medical status is full duty with no restrictions. Mental Health treatment noted. All other case factors remain the same as in CDC 128G Classification Chrono dated 6/12/02. Next Annual review scheduled in 10/2003.

At the conclusion of this review, ACUNA was informed of his Appeal Rights with regards to this committee's actions. ACUNA acknowledged his understanding and agreement with committee's actions.

STAFF ASSISTANT

Not Assigned: (Issues not complex and non-participant in MHSDS)


INMATE CASE FACTORS

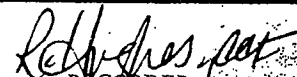
CUSTODY	CS/LEVEL	WG/PG & EFF DATE	RELEASE DATE	IN/OUT	PRECLASS	ETHNIC	PSYCH DATE	Doc #
CLOB	67/IV	A1A - 1/31/2001	MEPD 4/5/2013	12.5	10/2003	MEX	Clear	Doc #4-6/2003

COMMITTEE MEMBERS

MEMBERS

L. Parker, CCI R. Thomas, CCI


CHAIRPERSON
J. Rickett, Captain


RECORDER
R. Hughes, CCI

Committee Date: 11/15/2002

ANNUAL REVIEW

Committee: D11502RMHI

Typed By: RMH - Distribution: C-File & Inmate

CALIFORNIA STATE PRISON, L.A. COUNTY

Classification Chrono CDC 128G (Rev: 5/01)

(42)

CALIFORNIA DEPARTMENT OF CORRECTIONS

NAME: ACUNA

CDC #: C43165

BED: B5-143L

INMATE COPY
COMMITTEE ACTION SUMMARY

UNASSIGN FROM COMP RELATED, GWC A1-A FROM 10/22/2003 THRU DOR, P/O ANY VOC AND SS W/L

COMMITTEE'S COMMENTS

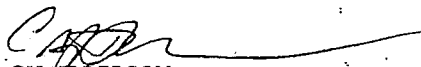
Inmate ACUNA declined to appear before California State Prison, L.A. County's (LAC's) Facility B Unit Classification Committee (UCC) today for his Annual Review and therefore UCC was held in absentia. ACUNA did receive his 72-hour notice for the purpose of this review. Based upon a review of ACUNA'S Central File and case factors committee elects to UNASSIGN FROM COMP RELATED, GWC A1-A FROM 10/22/2003 THRU DOR, P/O ANY VOC AND SS W/L. The CDC forms 840, 812, and 127 have been reviewed and updated. \"S\" participated in his pre-classification interview and agrees with this actions. \"S\" cell status has been reviewed and double cell remains appropriate. UCC notes that \"S\" was removed from his job as a result of the vocational class being eliminated.

At the conclusion of this review, ACUNA will be informed of his Appeal Rights with regards to this committee's actions.

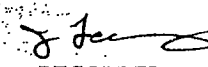
INMATE CASE FACTORS

CUSTODY	CS/LEVEL	WG/PG & EFF. DATE	RELEASE DATE	GPL	RECLASS	ETHNIC	PSYCH DATE 128C	NEXT BPT. DATE
CLOB	59/TV	A1A - 1/31/2001	MEPD 8/5/2012	GED	10/2004	MEX	Clear	

COMMITTEE MEMBERS


CHAIRPERSON
D. Downs, FC


MEMBERS
V. CHAGNON (CCI)


RECORDER
J. Teaney, CCI

Committee Date: 10/22/2003

ANNUAL REVIEW (ABSENTIA)

Committee: B102103JTT1

Typed By: JAA - Distribution: C-File & Inmate

CALIFORNIA STATE PRISON, L.A. COUNTY

Classification Chrono CDC 128G (Rev: 5/01)

(43)

Arcadio Acuna #C-43165

Dec. 29, 2007

PASP-SHU / FD 3-112

P.O. Box 7500

Crescent City, CA 95532

Re: CDC-602 Appeal log # CAL 04-545 / LAL 04-02386

Dear N. Grannis,

I am resubmitting the attached appeal for Director's Level Review, and in response to your letter dated 12/20/04 requesting attachment of Second Level Response would advise you that I was never provided with such a response. This is one of the issues I am addressing in my Director's Level Review as well as the fact that at no time during the 10 months this 602 has been pending was I ever interviewed by the (4) separate 602's I submitted on my validation.

I contacted my counselor here, CCI E. DeRusha asking that she look into the matter, and as indicated by her written response she was not able to locate any indication in my file that a written response was ever produced.

I hope then, that as part of your review you will address these issues and determine the extent to which I was denied due process.

Sincerely,

(28) Arcadio Acuna

DEPARTMENT OF CORRECTIONS

Inmate Appeals Branch

P.O. Box 942883

Sacramento, CA 94283-0001

March 22, 2005

Appeals Coordinator
Pelican Bay State Prison
P.O. Box 7000
Crescent City, CA 95531-7000

Fwd to
LAC

REC. 1177
APR 14 2005
INMATE
BRANCH

APR 22 2005

RE: ACUNA, CDC #C-43165 Institution Appeal Log #CSP-LAC-X 09-02386
Living Conditions

To the Appeals Coordinator:

The appellant has been unable to obtain a copy of the requested document in order to complete the appeal. Please obtain the requested document(s).

Second Level Response. Please complete and return the requested documents to this office by April 21, 2005.

N. GRANNIS, Chief
Inmate Appeals Branch

4/8/05

- After A Review of Im ACUNA'S C file, IT WAS
DETERMINED THAT IT DOES NOT CONTAIN A COPY
of A Second level Response for
Appeal Log # CSP-LAC-X 09-02386. CSP-LAC
Completed the Appeal and Should
have a copy in their files.

PBSP
APPEALS COORDINATOR

DEPARTMENT OF CORRECTIONS

WORK SUPERVISOR'S REPORT

STATE OF CALIFORNIA
CDC 101 (1/92)

GRADES

- 1 = EXCEPTIONAL
2 = ABOVE AVERAGE
3 = SATISFACTORY
4 = BELOW AVERAGE
5 = UNSATISFACTORY

GRADE

- A. DEMONSTRATED SKILL AND KNOWLEDGE
B. ATTITUDE TOWARD FELLOW INMATES AND WORKERS
C. ATTITUDE TOWARD SUPERVISORS AND STAFF
D. INTEREST IN ASSIGNED WORK
E. EFFORT DISPLAYED IN ASSIGNED WORK

GRADE

- F. TEAMWORK AND PARTICIPATION
G. LEARNING ABILITY
H. USE OF TOOLS AND EQUIPMENT
I. QUALITY OF WORK
J. QUANTITY OF WORK

PAY STATUS: FROM: \$ TO: \$

FROM: JOB NO. TO: \$

PERIOD COVERED BY REPORT

TOTAL # Hours Assigned: 618

DATE ASSIGNED

ACTUAL WORK CONSISTS OF

INMATE'S INITIALS

INMATE ASSIGNED TO

RECOMMENDED FOR:

☐ REASSIGNMENT☒ RETAIN☐ PAY INCREASE☐ PAY DECREASE

COMMENTS (IF MORE SPACE REQUIRED, USE REVERSE SIDE)

SUPERVISOR

INMATE'S NAME

ACUNA

Good worker

HURILLO

LENGTH OF SUPERVISION

4 months

CDC NUMBER

C-43165

WORK DETAIL

CSP/LAC

INSTITUTION

6-30-03

DATE

M

ETHNICITY

STATE OF CALIFORNIA
CDC 101 (1/92)

WORK SUPERVISOR'S REPORT

DEPARTMENT OF CORRECTIONS

GRADES

- 1 = EXCEPTIONAL
2 = ABOVE AVERAGE
3 = SATISFACTORY
4 = BELOW AVERAGE
5 = UNSATISFACTORY

GRADE

- A. DEMONSTRATED SKILL AND KNOWLEDGE
B. ATTITUDE TOWARD FELLOW INMATES AND WORKERS
C. ATTITUDE TOWARD SUPERVISORS AND STAFF
D. INTEREST IN ASSIGNED WORK
E. EFFORT DISPLAYED IN ASSIGNED WORK

GRADE

- F. TEAMWORK AND PARTICIPATION
G. LEARNING ABILITY
H. USE OF TOOLS AND EQUIPMENT
I. QUALITY OF WORK
J. QUANTITY OF WORK

PAY STATUS: FROM: \$.28/hr. TO: \$.37/hr.

FROM: JOB NO. TO: \$

TO: JOB NO.

TOTAL # Hours Assigned: 618

DATE ASSIGNED

ACTUAL WORK CONSISTS OF

TOTAL # Hours Worked: 278

PERIOD COVERED BY REPORT

INMATE ASSIGNED TO

10/09/02

Lead Clerk/CLK-D.501

10/09/02-present

RECOMMENDED FOR:

☐ REASSIGNMENT☐ RETAIN☒ PAY INCREASE☐ PAY DECREASE

COMMENTS (IF MORE SPACE REQUIRED, USE REVERSE SIDE)

SUPERVISOR

F. Guess

INMATE'S NAME

ACUNA

LENGTH OF SUPERVISION

4 months

WORK DETAIL

CSP/LAC

INSTITUTION

M

ETHNICITY

2/26/03

CODE OF SAFE PRACTICES REVIEWED

INMATE'S INITIALS

INMATE'S INITIALS

DATE

EDUCATION PROGRESS REPORT

COMPLETED PRIOR TO THIS QUARTER

BEHAVIOR / ASSESSMENT	CERTIFICATION UNITS IN COURSE	TOTAL	COMPLETED PRIOR TO THIS QUARTER
Adaptability	S U Vocational Title	13	2
Conduct	S U Academic Title		
Cooperation	S U Adult High School Title		
Dependability	S U General Education Development		
Initiative	S U		

LIST SPECIFIC CERTIFICATION UNITS COMPLETED THIS QUARTER BY NAME

DATE INMATE ENROLLED	DATE INMATE TERMINATED	TERMINATION CODE	REASON FOR TERMINATION
7/26/03	10/22/03	6	Classification Action (Class Closed)

COMMENTS SPECIFIC TO COURSE: Mr. Acuna is a very hard working student. He was able to complete Vol 04, 01, 02, Orientation and Shop Safety. He also have 52.75 cumulative hours

VOCATIONAL EVALUATION OF EMPLOYABILITY

(X)	OCCUPATIONAL JOB TITLE	DOT CODE NUMBER	(X)	OCCUPATIONAL JOB TITLE	DOT CODE NUMBER
01	Printer and Peripheral Equipment Op	208.685.030	05	Word Processor	203.382.018
02	General Office Clerk	209.362.030	06	File Clerk	206.3.62.010
03	Record Clerk	243.367.014	07	Data Entry Keyer	209.382.010
04	Typist	203.362.010	08	Secretary	219.363.074

DATE OF REPORT: 10/26/03

INMATE NAME (LAST, FIRST, MI): Acuna, A

DISTRIBUTION: WHITE-CENTRAL FILE CANARY-EDUCATION FILE PINK-ORIGINATOR GOLDENROD-INMATE

INMATE NAME (LAST, FIRST, MI): Acuna, A

INMATE NUMBER: C-43165

INSTITUTION: CSP-LAC

INITIALS: [Signature]

SUPERVISOR REVIEW: [Signature]

INSTITUTION: [Signature]

DEPARTMENT OF CORRECTION

ABF-B-224
STATE OF CALIFORNIA
CDC 153-D (11/92)

DEPARTMENT OF CORRECTIONS

Vocational Education

CERTIFICATE OF INDIVIDUAL COMPETENCY

THIS IS TO CERTIFY THAT

HAS SUCCESSFULLY COMPLETED THE
COMPETENCY OF

V07.03.09 (.001-.005) TRIM AND GLASS REPLACEMENT

COMPETENCY NUMBER

COMPETENCY NAME

VOC AUTO BODY AND PAINT

COURSE NAME

LOG # BAD-000-410

J.C. HATZIK

VOCATIONAL INSTRUCTOR

11-20-03

DATE

ABF-B-224
STATE OF CALIFORNIA
CDC 153-D (11/82) -

DEPARTMENT OF CORRECTIONS

Vocational Education

CERTIFICATE OF INDIVIDUAL COMPETENCY

THIS IS TO CERTIFY THAT

HAS SUCCESSFULLY COMPLETED THE
COMPETENCY OF

ACUNA - C-48165

V07.03.03 (.001.010)

TOOLS AND EQUIPMENT

COMPETENCY NUMBER

COMPETENCY NAME

VOC. AUTO BODY AND PAINT

COURSE NAME

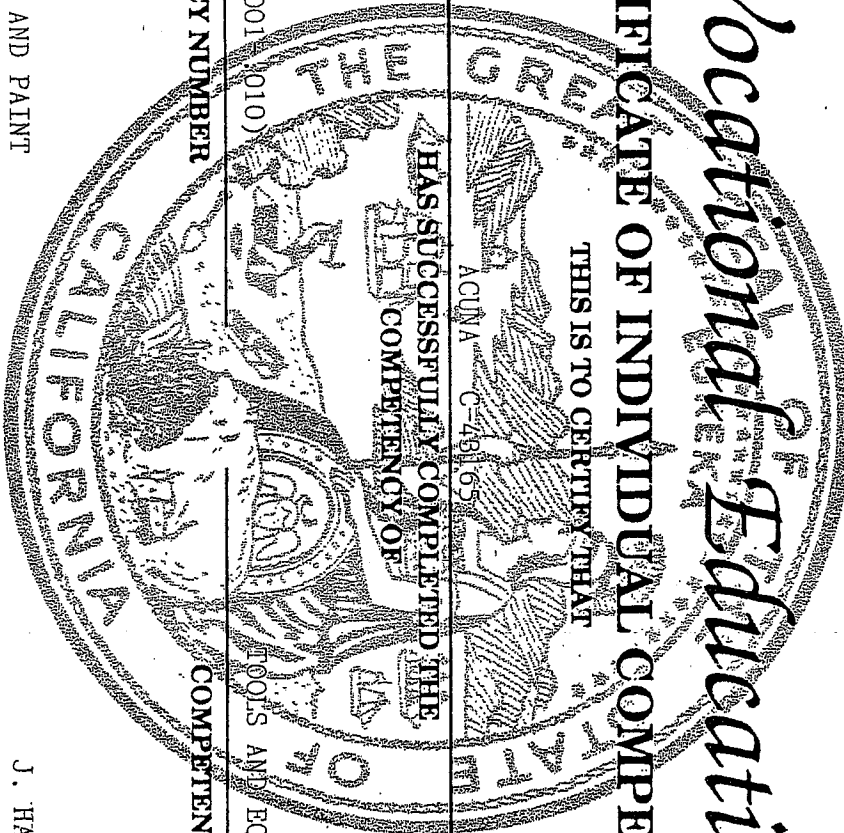
LOG # BAD-000-376

J. HATZIK

VOCATIONAL INSTRUCTOR

10-31-03

DATE



ABF-B-224
STATE OF CALIFORNIA
CDC 183-D (11/82)

DEPARTMENT OF CORRECTIONS

Vocational Education

CERTIFICATE OF INDIVIDUAL COMPETENCY

THIS IS TO CERTIFY THAT

HAS SUCCESSFULLY COMPLETED THE
COMPETENCY OF

ACUNA - C-48103

V07.03.02 (.001-011)

COMPETENCY NUMBER

SHOP AND SITE SAFETY

COMPETENCY NAME

VOCATIONAL AUTO BODY AND PAINT

COURSE NAME

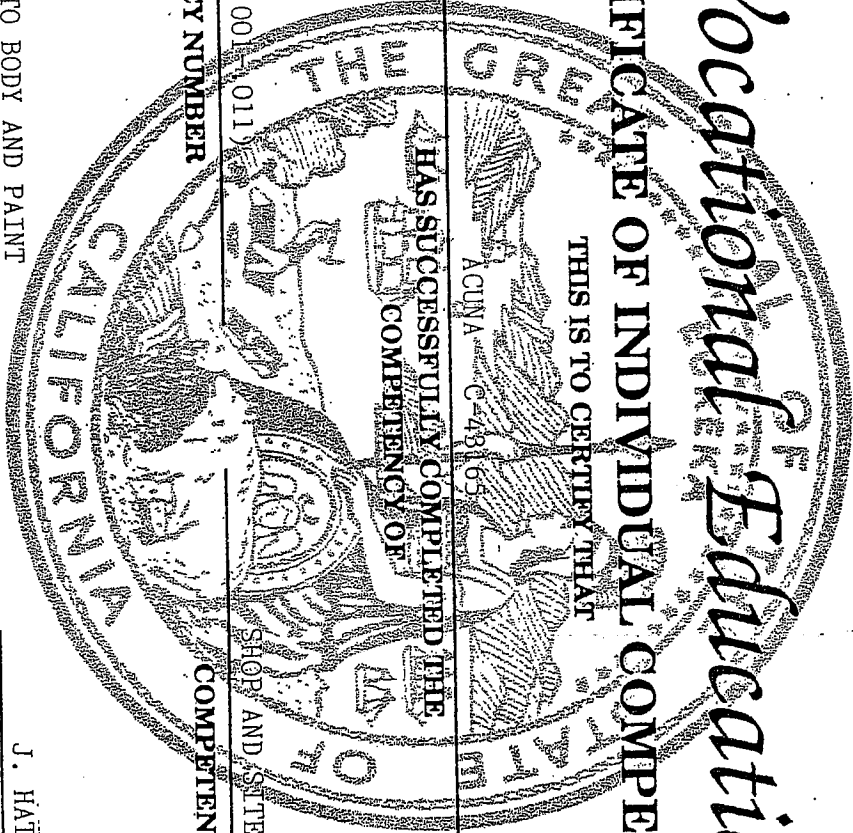
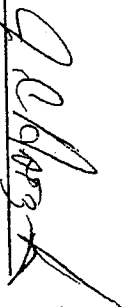
106 BAD-000-368

J. HATZIK

VOCATIONAL INSTRUCTOR

10-24-03

DATE



ABF-B-224
STATE OF CALIFORNIA
CDC 188-D (11/82)

DEPARTMENT OF CORRECTIONS

Vocational Education

CERTIFICATE OF INDIVIDUAL COMPETENCY

THIS IS TO CERTIFY THAT

HAS SUCCESSFULLY COMPLETED THE
COMPETENCY OF

ACUNA C-48165

V07.03.01 (.001E.0072)

ORIENTATION

COMPETENCY NUMBER

COMPETENCY NAME

VOCATIONAL AUTO BODY AND PAINT

COURSE NAME

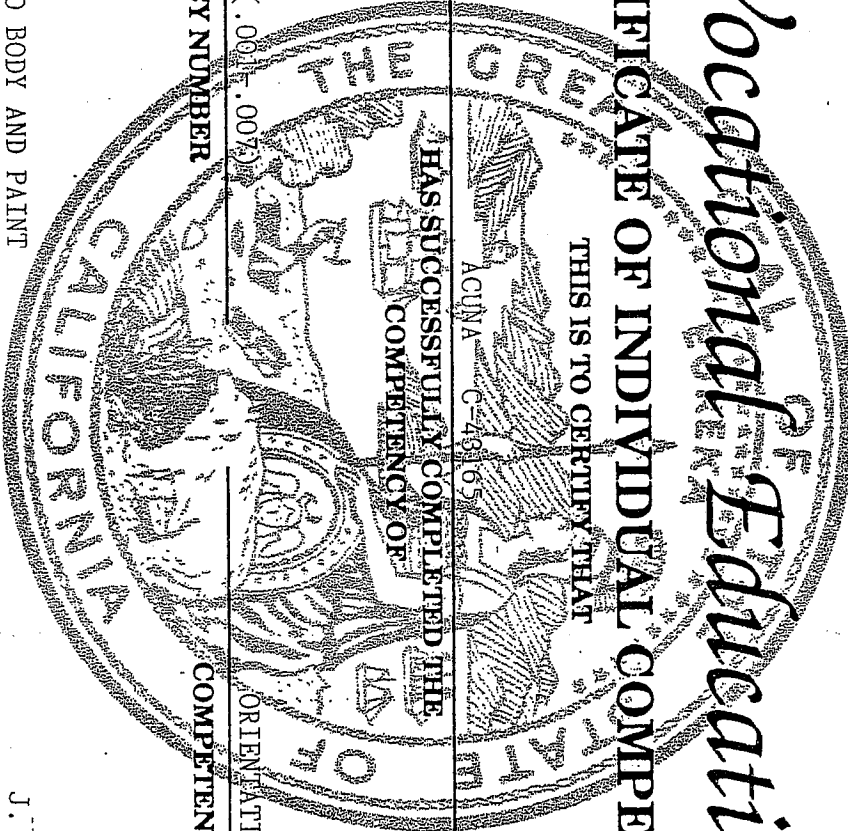
LOG # BAD-000-367

J. HATZIK

VOCATIONAL INSTRUCTOR

10/24/03

DATE



STATE OF CALIFORNIA
CDC 153-C (11/92)

DEPARTMENT OF CORRECTIONS

Vocational Education

COMPLETION OF CERTIFICATION UNIT

THIS IS TO CERTIFY THAT

Acadia Acuna

HAS SUCCESSFULLY COMPLETED THE
CERTIFICATION UNIT OF

V01.04.02 Shop Safety

Vocational Computer & Related Technology
California State Prison-Los Angeles County

R. Moore
Reggie Moore

SUPERVISOR OF VOCATIONAL INSTRUCTION

Walter Neal Jr.
Walter Neal Jr.

VOCATIONAL INSTRUCTOR

LOG # CRTB-1453

9/28/03

DATE

STATE OF CALIFORNIA
CDC 153-B (11/92)

DEPARTMENT OF CORRECTIONS

Vocational Education

CERTIFICATE OF COMPLETION

THIS IS TO CERTIFY THAT

Aracelia Acuna

HAS SUCCESSFULLY COMPLETED

V01:04.01 Orientation

Vocational Computer & Related Technology
California State Prison-Los Angeles County

R. Moore
Reggie Moore

SUPERVISOR OF VOCATIONAL INSTRUCTION

Log # CRTB-1452

Walter Neal Jr.
Walter Neal Jr.

VOCATIONAL INSTRUCTOR

9/28/03

DATE

STATE OF CALIFORNIA
CDC 153-A (1/82)

CDC# C43165
DEPARTMENT OF CORRECTIONS

Vocational Education

CERTIFICATE OF ACHIEVEMENT

THIS IS TO CERTIFY THAT

Aracelia Arcana

HAS DEMONSTRATED ACHIEVEMENT IN

101.03.01 Orientation, 101.03.02 Shop Safety

Vocational Computer & Related Technology

Facility "D" California State Prison - Los Angeles County

R. Moore
R. Moore

SUPERVISOR OF VOCATIONAL INSTRUCTION

LOG # CRTB-1460

Walter Neal Jr.
Walter Neal Jr.

VOCATIONAL INSTRUCTOR

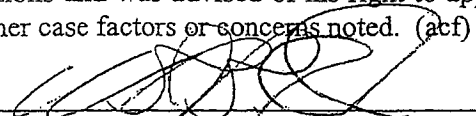
10/21/03

DATE

CDC NO #: C43165 NA: ACUNA HO NG: A5-237L CDC 128-G
PS: 59 LEVEL: IV MEFD: 08/05/2012 CUSTODY: MAX
WG/PG: D1/D EFF. 03/05/2004 NEXT CLASSIFICATION: 10/2004

ACTION: 90 DAY REVIEW: RETAIN AD SEG PENDING TX TO PBSP-SHU. REAFFIRM MAX CUSTODY AND WG/PG D1/D EFFECTIVE 03/05/2004. RETAIN YARD GROUP NO. 7, CONTROLLED COMPATIBLE (WHITES, SO. HISPANICS, OTHERS). NO MHSDS, MDO, DDP OR DPP CONCERNS NOTED. DOUBLE CELL HOUSING APPROVED. RESCHEDULE ICC 10/07/2004.

Inmate Acuna appeared before ICC this date for a 90 Day Review. He was initially placed in Ad/Seg on 03/05/2004 as a result of being validated as a Mexican Mafia Prison Gang member, refer to CDC 128B-2 dated 01/20/2004. On 03/11/2004, ICC referred the case to the CSR recommending Indeterminate SHU placement to PBSP-SHU via CCI-SHU. ON 04/06/2004, the CSR deferred the case noting the CDC 128B-2 was not in the Central File and the 812-A needed to be updated. On 04/22/2004, ICC noted the CSR deferral issues had been corrected and referred the case for transfer to PBSP-SHU for Indeterminate SHU placement. On 06/01/2004, the CSR endorsed inmate to PBSP-SHU with transfer approval expiring 09/29/2004. Committee elects to retain inmate in Ad Seg pending transfer to PBSP-SHU and reaffirms MAX custody and WG/PG D1/D effective 03/05/2004. Inmate is retained on Yard Group No. 7, Controlled Compatible (Whites, So. Hispanics, Others). A review of the central file does not indicate a pervasive pattern of in-cell assaults or predatory behavior, therefore, inmate is approved for double cell housing. Inmate does not meet the criteria for inclusion in the MHSDS, MDO, or DPP per CDC 128G Chrono dated 04/22/2004 and Mental Health Staff present during committee is in agreement with this status. Madrid Chrono dated 04/22/2004 is in the Central File. Inmate's GPL is 12.5. Inmate was received in CDC on 03/11/1987 and was endorsed to PBSP-SHU on 06/01/2004 with a total term of Life (X3) plus 8 Months. Inmate's BPT Initial Parole Consideration Hearing is scheduled for 07/2011 and his next Annual Review is scheduled for 10/2004. Committee notes the 180°/270° design housing placement criteria has been reviewed. Inmate qualifies for 180° design housing placement due to inmate being a validated prison gang member. Inmate was advised he would be seen by ICC on 10/07/2004. Inmate Acuna was informed of committee's actions and was advised of his right to appeal. Inmate had no questions or comments to address to committee. There are no other case factors or concerns noted. (acf)


M. Bourland, CDW(A) CHAIRPERSON


C.J. Caffarella, Asst. C&PR(A) RECORDER

Committee Members: G. Janda, AW; J. Criman, CCI; D. Middleton, Ph.D.

cc: Counselor, Inmate

Date: 07/15/2004

CLASSIFICATION: ICC AD/SEG

INST: CAL-IV

STATE OF CALIFORNIA
ADMINISTRATIVE SEGREGATION UNIT PLACEMENT NOTICE
CDC 114-D (Rev 10/98)

DEPARTMENT OF CORRECTIONS

DISTRIBUTION:
WHITE CENTRAL FILE CANARY WARDEN
BLUE INMATE (2ND COPY) PINK HEALTH CARE MGR
GREEN ASU GOLDENROD INMATE (1ST COPY)

INMATE'S NAME

CDC NUMBER

ACUNA

C43165

REASON(S) FOR PLACEMENT (PART A)

- ☒ PRESENTS AN IMMEDIATE THREAT TO THE SAFETY OF SELF OR OTHERS
☐ JEOPARDIZES INTEGRITY OF AN INVESTIGATION OF ALLEGED SERIOUS MISCONDUCT OR CRIMINAL ACTIVITY
☒ ENDANGERS INSTITUTION SECURITY ☐ UPON RELEASE FROM SEGREGATION, NO BED AVAILABLE IN GENERAL POPULATION

DESCRIPTION OF CIRCUMSTANCES WHICH SUPPORT THE REASON(S) FOR PLACEMENT

You are currently being housed in SHU on Indeterminate Status as a result of your validation as a MEMBER of the MEXICAN MAFIA prison gang. The information relied upon in your validation is documented on CDC 128B 2 dated 01-20-04 and updated by IGI. Based upon the aforementioned you are deemed to represent a threat to the safety of others and to the security of the Institution if you were released to the General Population at this time. You are scheduled to appear before Committee for an Annual/114D review. You will be afforded the opportunity to present any relevant information to this Committee regarding your current housing and or program.

☐ CONTINUED ON ATTACHED PAGE (CHECK IF ADDITIONAL) ☐ IF CONFIDENTIAL INFORMATION USED, DATE OF DISCLOSURE: / /

DATE OF ASU PLACEMENT	SEGREGATION AUTHORITY'S PRINTED NAME J. A. GUINN	SIGNATURE <i>[Signature]</i>	TITLE Lieutenant
DATE NOTICE SERVED 12/22/04	TIME SERVED 0800	PRINTED NAME OF STAFF SERVING ASU PLACEMENT NOTICE R. K. SWIFT	STAFF'S TITLE CCI

☒ INMATE REFUSED TO SIGN INMATE SIGNATURE *Refused To Sign* CDC NUMBER

ADMINISTRATIVE REVIEW (PART B)

The following to be completed during the initial administrative review by Captain or higher by the first working day following placement.

STAFF ASSISTANT (SA)

INVESTIGATIVE EMPLOYEE (IE)

STAFF ASSISTANT NAME	TITLE	INVESTIGATIVE EMPLOYEES NAME	TITLE
IS THIS INMATE:		EVIDENCE COLLECTION BY IE UNNECESSARY	
LITERATE?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
FLUENT IN ENGLISH?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	DECLINED ANY INVESTIGATIVE EMPLOYEE	
ABLE TO COMPREHEND ISSUES?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	
FREE OF MENTAL HEALTH SERVICES DELIVERY SYSTEM NEEDS?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	ASU PLACEMENT IS FOR DISCIPLINARY REASONS	
DECLINING FIRST STAFF ASSISTANT ASSIGNED?	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	
<input checked="" type="checkbox"/> NOT ASSIGNED Any "NO" requires SA assignment		<input checked="" type="checkbox"/> NOT ASSIGNED Any "NO" may require IE assignment	

INMATE WAIVERS

☐ INMATE WAIVES OR DECLINES INTERVIEW WITH ADMINISTRATIVE REVIEWER ☒ INMATE WAIVES RIGHT TO 72 HOURS PREPARATION TIME
☒ NO WITNESSES REQUESTED BY INMATE INMATE SIGNATURE DATE

WITNESSES REQUESTED FOR HEARING

WITNESS' NAME	TITLE/CDC NUMBER	WITNESS' NAME	TITLE/CDC NUMBER
WITNESS' NAME	TITLE/CDC NUMBER	WITNESS' NAME	TITLE/CDC NUMBER

DECISION: ☐ RELEASE TO UNIT/FACILITY ☐ RETAIN PENDING ICC REVIEW ☐ DOUBLE CELL ☐ SINGLE CELL PENDING ICC

REASON FOR DECISION:

ADMINISTRATIVE REVIEWER'S PRINTED NAME	TITLE	DATE OF REVIEW	TIME	ADMINISTRATIVE REVIEWER'S SIGNATURE
CORRECTIONAL ADMINISTRATOR'S PRINTED NAME	CORRECTIONAL ADMINISTRATOR'S CO-SIGNATURE			DATE OF REVIEW

NO: C-43165

NAME: ACUNA, , dio

D3-112L

Custody: MAX S

CS: 55 (IV)

D1/D EFF 3/5/04

Assignment:

SHU/INDET

RelDate: MEPD 8/5/2012

Reclass: 5/2005

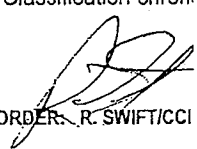
Action:

RETAIN SHU/INDET (GANG); AFFIX "S"; REFER
TO EDUCATION FOR TABE TESTING

Inmate Acuna appeared before PBSP FAC-D SHU UCC on this date for Initial/114D Review. Committee notes S was endorsed for PBSP SHU/INDET due to his validation as a member of the Mexican Mafia (EME) prison gang. Committee notes a CDC 128-B2 dated 1/20/04, citing 3 documents that meet prison gang validation requirements. S is affiliated with a prison gang that is known to be involved in criminal activities which threaten the safety of others and institution security, and this requires continued segregation from the GP. S was informed that the Departmentally recognized avenues for release from SHU are through the debriefing process or through being determined to be an inactive prison gang member or associate as delineated in CCR, Title 15, Section: 3378(e) and 3341.5(c)(4)(5). **Committee acts to retain S in SHU on INDET status due to CSR endorsement and gang validation.** DDP Review: CDC 128C-2 is in C-file. S participated in Committee. **Committee acts to affix the "S" suffix, because S has not successfully completed the compatibility review for double celling in PBSP SHU.** Case Factors: S is a 53-yr-old, Hispanic, PVWNT, 4th-term, received in CDC on 3/11/87, from Santa Clara County, for the offense(s) of Kidnapping for ROBB, receiving a total term of 3 Life terms + 8 Years. Received at PBSP on 11/17/04, from CAL, for SHU/INDET placement. S is not foreign born. There are no holds, arsons, or sex offenses. Escapes: 1978 Escape from CA Rehabilitation Center. Disciplinary History: Most recent CDC 115 is dated 4/1/01, for POSS of I/M MFG Alcohol; previous CDC 115(s) received for Unauthorized Talking, Resisting Staff ASLT on I/M Failure to Report, POSS of CS, and Force & Violence. Medical Status: Full duty. TB code is 22 per CDC 128C dated 3/1/04. PSYCH Concerns: CDC 128C dated 11/9/04, clears S for SHU placement per Madrid Court Order criteria. Commitment offense does not meet criteria for MDO referral per PC 2962 Education: RGPL is 12.5. DDP Review: CDC 128C-2 is in C-file. CDC 812 lists enemies. Gang/TIP: Member of the EME prison gang. AKA: "Cadio. Confidential folder noted and reviewed. County of last legal residence (CLLR): Solano County. Registration/Notification/Testing Requirements: PC 3058.6 and PC 295 (B/S). S is ineligible for 270-Design Level-IV placement due to the following exclusionary factors: SHU placement within the last 3 years CCRC/CCF/Camp/MSF/Restitution Center: Ineligible due to current SHU placement. S was advised of Committee's decision and his right to appeal, and that any appeal of this Committee action must be submitted within 15 working days of this date, whether he has received the CDC Form 128G Classification chronology or not. Next reclass scheduled in 5/2005, for 180-Day Review.

CHAIRPERSON:  L. WILLIAMS/FC

G. ATER/CCII

RECORDER:  R. SWIFT/CCICC: ☐ OBIS ☐ CSR ☐ IGI ☐ PSYCH ☐ MED ☐ C&PR ☐ OTHER _____
Committee Date: 11/23/04 (SWIFT/jw) Classification

FAC-D UCC

INITIAL REVIEW

☐ 128-C2 in C-file
Inst: PBSP

To: W. Barst, CCI
 Facility - D3 Counselor
 From: A. Aluwa # C-43165
 PBSP-SHU / FD3-112
 Date: Aug. 29, 2005

IN, NOW
 COPY

Re: Annual Classification Hearing

Pursuant to Calif. Code of Regulations, Title 15, § 3378(c)(2), I am submitting the below listed questionable gang identification, notations, and/or new information to be considered upon annual committee review of CDC-B12A in my C-File, and request that it be made a permanent part of the file and forwarded to the IGI for investigation.

I.

CDC-114 D dated 8/25/05, Ad Seg Placement Order, and CDC-B12A, Notice of Critical Information - Prison Gang Identification, are in conflict as 114 records validation as "member" and B12 indicates "associate".

II.

CDC-602, Institutional Appeal, log# LAC-X-04-02386, challenging validation was submitted 3/11/04 and after 17-months I have never been interviewed or given written responses addressing issues raised in four separate appeals concerning initial validation and confidential information relied on in that process. Director's Level Review submitted 9/26/04, and was advised through correspondence final resolution would be forthcoming by 6/23/05. Due process denied in initial

(50)

IN - MOW
COPY

validation as confidential information not disclosed before validation process initiated and never given an opportunity to present defense to actual decision maker.

III.

After being confined to PASP-SHU for 10-years from 1990-2000 validated as an "associate", I was given "inactive" status and released to GP where for 4-years I programmed above average with only one RVR for possession of pruno. I have never been involved in gang activity, am not now, nor have I ever been an associate or member of a prison gang, have never received a RVR alleging acts of misconduct related to gang activity after my release from the SHU in 2000, and the only reason a validation was submitted was because I refused to become an informant under pressure from IGI at Lancaster, Lt. Garcilazo. Confidential information relied on does not establish direct link to specific and verifiable acts of misconduct aiding and abetting or in furtherance of a prison gang. (*see CDC-602, Log# LAC-X-04-02386 for details)

I declare under penalty of perjury that all of the above statement is true and correct.

151 Arcadio Arcuna
Arcadio Arcuna # C-43165

To: W. Grandt, CCI
 Facility - D3 Counselor
 From: A. Acuna # C-43165
 PRSP-THEM / FD3-112
 Date: Aug. 31, 2005

IN-house
 copy

Re: Annual Classification Hearing

Pursuant to Calif. Code of Regulations, Title 15, § 3328 (2)(7), I am requesting the below listed matters be considered at the hearing and made a permanent part of my C-File:

I.

I did not waive witnesses at the hearing. CDC-114 D came with a preprinted (X) in the waiver box. I am requesting presence of actual decision maker in the validation process, LEIU from Sacramento, to challenge validation process and documents relied on, as committee is not empowered to overturn validation.

II

After presenting CCI Grandt with the information CDC-114 D dated 8/23/05, and CDC-812A ^{dated 8/23/05} were in conflict because one stated validated as "member" and the other "associate" a new 812A was issued on 8/30/05 indicating validation as member, authored by G. Stewart, IGE Lt.(A). This raises serious questions about the thoroughness of these IGE reviews of 812, as (2) previous reviews document states as "associate."

(62)

PROOF OF SERVICE BY MAIL

(C.C.P. section 101a #2015.5; 20 U.S.C. section 1746)

I, Arcadio Acuna, am a resident of Pelican Bay State Prison, in the County of Del Norte, State of California. I am over eighteen (18) years of age and am a party to the below entitled action.

My Address is: P.O. Box 7500; Crescent City, CA 95531.

On the 2nd day of Oct, in the year of 2005, I served the following documents: (set forth the exact title of documents served)

Petition for writ of Habeas Corpus

on the party(s) listed below by placing a true copy(s) of said document, enclosed in a sealed envelope(s) with postage thereon fully paid, in the United states mail, in a deposit box so provided at Pelican Bay State Prison, Crescent City, CA 95531 and addressed as follows:

Bill Lockyer Atty General
1300 "E" Street, Ste. 125
P.O. Box 94255
Sacramento, CA
94244

I declare under penalty of perjury that the foregoing is true and correct.

Dated this 2nd day of Oct, 2005.

Signed: Arcadio Acuna

(Declarant Signature)